



**VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM**

MEETING DATE: August 10, 2016 *(continued from July 13, 2016)*

P/Z 16-018

TITLE: LWV Odessa Ponds, LLC, regarding the properties located at 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, 6703-23 Maple Lane, Westmont, IL 60559 for the following:

Note: Current Staff Report is based off the the July 13, 2016 Staff Report. Revisions and additions are shown in *red italics*.

(A) Map Amendment request to rezone from R-4 General Residence District to a Planned Development Overlay District in the underlying R-4 General Residence District with the following exceptions from the Zoning Code:

1. Exception to reduce the required amount of useable open space, which is currently non-conforming.
2. *Exception to permit existing non-conforming lot area.*
3. *Exception to permit existing non-conforming front yard setbacks.*

(B) Zoning Code Variance request to exceed the maximum number of allowable accessory structures to construct clubhouse facilities.

(C) Zoning Code Variance request to exceed the maximum size of an accessory clubhouse structure.

(D) Zoning Code Variance request to exceed the maximum height of an accessory clubhouse structure.

(E) Zoning Code Variance request to permit existing non-conforming number of parking spaces.

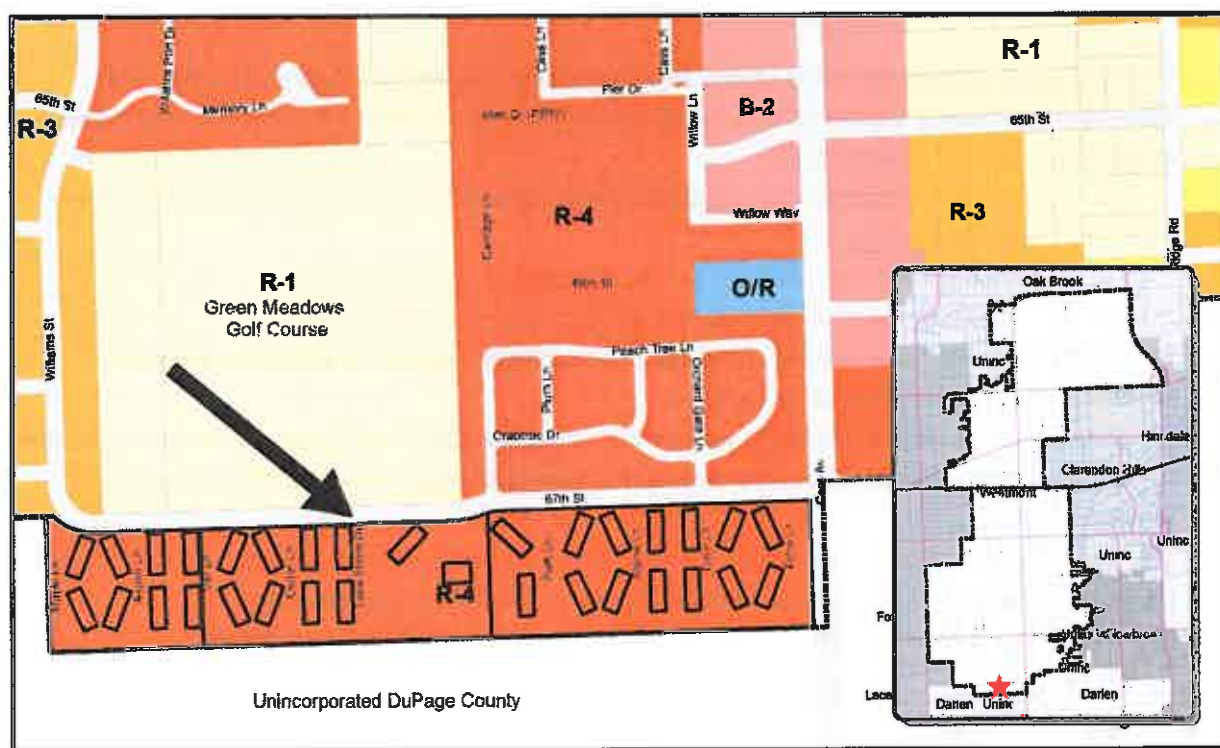
(F) Preliminary Plat of Subdivision to consolidate the properties into two lots.

(G) Site and landscaping plan approval for the construction of clubhouse facilities.

BACKGROUND OF ITEM

First presented at the July 13, 2016 meeting, the applicant worked with staff to revise zoning requests to include additional waivers and a variance that were not published in the initial public notice. All requests have now been properly published for consideration, discussion and subsequent recommendations.

The subject property is located at the southwest corner of Cass Avenue and 67th Street. Formerly know as the Ponds and having multiple owners of buildings and units, the property is now under single ownership and has been renamed the Westmont Village Apartments. The property is zoned R-4 General Residence District and is approximately 28.9 acres.

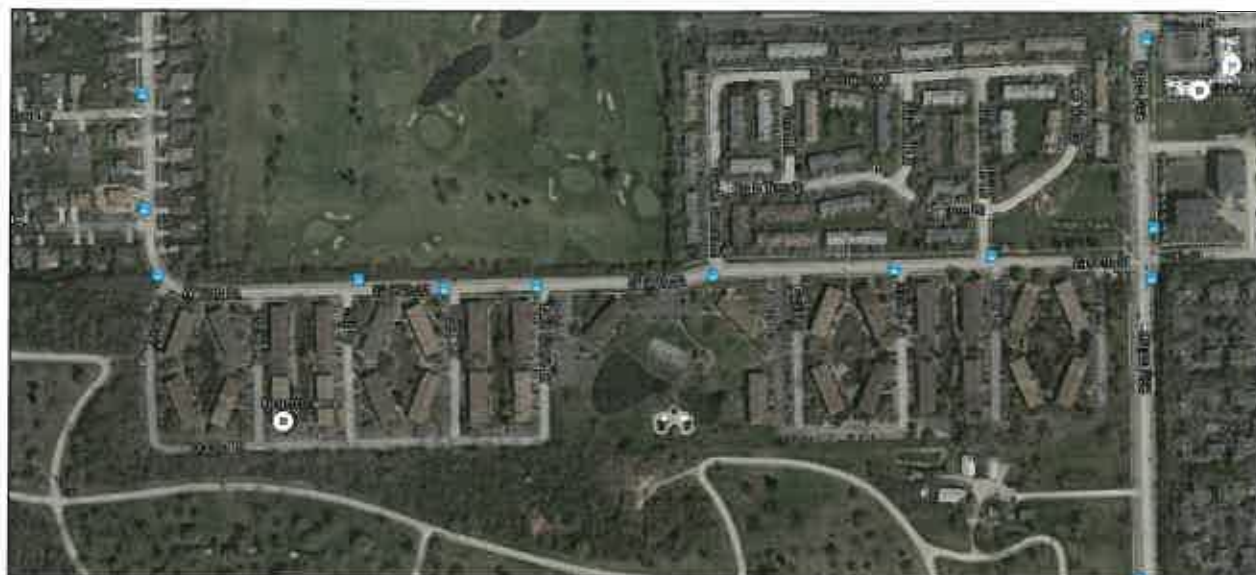


Westmont Village Apartments - Zoning Map

The petitioner wishes to improve the property with a new clubhouse that would include a leasing office, business lounge, fitness facility, common area, and outdoor amenities such as a patio, fire pit/bbq area, and swimming pool. A second clubhouse is requested with these approvals, but would not be constructed until an undetermined future date. Since purchasing the complex, the new property owner has installed new signage and new dumpster enclosures with concrete pads, and has begun renovation of interior units and roof replacements. The pools that were in disrepair have been demolished.



Entry approaches from both the East and West



Aerial View - Westmont Village Apartments

In order to accommodate this development, the applicant requests approval to rezone to a R-4/PD - General Residence / Planned Development District to both request waivers and variances for new construction, as well as waivers and variances for the existing conditions on the property in the event they do not comply with current Village code.

Finally, the property would be consolidated with a new Plat of Subdivision. Currently there are three underlying parcels on the property, with 94 separate tax ID PINs. These PINs had allowed the multiple ownership prior to being purchased by the current owner. The property is proposed to be consolidated into 2 separate lots, splitting the property into halves. One clubhouse would be situated on each of the new lots.



Aerial View - Proposed site for two clubhouses

ZONING ANALYSIS

Planned Development Request

The petitioner is requesting approval to rezone to a Planned Development Overlay District with an underlying R-4 General Residence District. Appendix A, Article IX, Section 9.01 states that Planned Development districts are meant to achieve creative design, promote variety, and concentrate open space in more useable areas. A planned development is a requirement when multiple residential buildings are on a single lot per Section 6.01 (D), further justifying the request.

Originally developed in the 1970s, the complex would not meet many of the code requirements if newly constructed. The Planned Development overlay will permit a development agreement with documented exceptions or waivers from the zoning code and would be specific to the development.

Purposes of the Planned Development District:

- (A) To encourage more creative design and development of land.
- (B) To promote variety in the physical development pattern of the village.
- (C) To concentrate open space in more useable areas or to preserve natural resources of the site.
- (D) To provide means for greater creativity and flexibility in environmental design than is provided under strict application of the requirements of other zoning districts, while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the Village of Westmont and its residents.

- (E) To allow flexibility in development of land as necessary to meet changes in technology and demand what will be in the best interest of and consistent with the general intent of the comprehensive guide plan of the village.
- (F) To provide for the more efficient allocation and maintenance by private initiative of useable open space to all residential and commercial areas and to allow the most efficient use of public facilities and land in keeping with the best interests of the village.

As part of a planned development, zoning code variances are made a part of the ordinance and are termed waivers. A planned development can only address those waivers as permitted by code, so not all variances can be included as waivers.

Waiver Requests

Required Minimum Useable Open Space

Appendix A, Article VI, Section 6.01 (C) (b) requires that all multiple family dwellings provide a minimum of 250 square feet of useable open space per unit. Usable open space is defined as "Space suitable for recreation, gardens or household service activities, such as clothes drying. Such space must be at least 75 percent open to the sky, free of automobile traffic, parking and undue hazards, and readily accessible by all those for whom it is intended."

With 564 current units (294 on proposed Lot 1 and 270 on proposed Lot 2), this would require 141,000 square feet, or 3.2 acres of usable open space. While the petitioner has not determined an actual number for the existing useable open space due to the complexity of the development and multiple parking lots and detention ponds, it is known that construction of the clubhouse(s) will result in a net loss of useable open space. The clubhouse will however be a useable amenity that is readily accessible for the residents and will provide indoor space for recreation.

Without concrete numbers to process, the petitioner requests that an approved site plan will document the existing conditions for usable open space and number of existing units.

Required Minimum Lot Area as Existing

Appendix A, Article VI, Section 6.04 (A) (4) requires a minimum lot size based on both the number of dwelling units and number of each bedrooms in each unit. Based on these requirements, Lot 1 as proposed would be deficient 21.5 acres or 62.7%, and Lot 2 would be deficient 15.2 acres or 48.6%. Staff notes that these deficiencies already exist on the current property, and no additional units are proposed that would increase the requirements.

Required Minimum Front Yard Setbacks

Appendix A, Article VI, Section 6.04 (F) (4) (a) requires a minimum front yard setback of 25 feet. Although not applicable to all structures on the property, both Lot 1 and Lot 2 have structures that do not meet the minimum. Setbacks of 14.84 feet exist on Lot 1 and 24.67 feet on Lot 2. Staff notes that the site plan as proposed for the Planned Development Agreement depicts the location of each individual building with a measurable setback, and the waiver would correspond to the existing conditions for each building. The waiver request would not create a blanket setback encroachment for any future development.

Variance Requests

In order to construct one clubhouse on each of the newly created lots, variances are required as they are classified as accessory structures to the residential buildings. Variances are requested for number permitted, maximum height, and maximum size. Each variance requested is detailed in a table below.

Maximum Number of Allowable Accessory Structures**Sec. 4.05. - Control over accessory structures and uses.**

	<i>Maximum Number Permitted*</i>	<i>Requested Number LOT 1</i>	<i>Requested Number LOT 2</i>
<i>Accessory Buildings and Structures</i>	1	1	2
Variance Requested:		N/A	1 additional structure

* 1 permitted in addition to detached garage.

Maximum Size of an Accessory Structure**Sec. 4.05. - Control over accessory structures and uses.**

	<i>Maximum Size Permitted</i>	<i>Requested Size LOT 1</i>	<i>Requested Size LOT 2</i>
<i>Accessory Buildings and Structures</i>	144 square feet	~6000 square feet	~6000 square feet
Variance Requested:		~5856 square feet	~5856 square feet

Maximum Height of an Accessory Structure

Sec. 4.05. - Control over accessory structures and uses.

	Maximum Height Permitted	Requested Height LOT 1	Requested Height LOT 2
<i>Accessory Buildings and Structures</i>	15'	27'-2"	27'-2"
Variance Requested:		12'-2"	12'-2"

Sec. 10.06. - Off-street parking as Existing.

	Required based on Dwellings	Existing Spaces Provided/Required LOT 1	Existing Spaces Provided/Required LOT 2
<i>Parking Spaces</i>	<i>1-bedroom: 1.0 space 2-bedroom: 1.5 spaces 3-bedroom: 2.0 spaces</i>	<i>492/552</i>	<i>485/518</i>
Variance Requested:		60	33

Staff notes that deficiencies in parking are not being created by any applicant requests, and historically the property has not shown evidence of needing additional parking spaces.

Preliminary Plat of Subdivision

The petitioner proposes consolidating the property with a new Plat of Subdivision. All of the approximate 97 underlying PINs would be consolidated into 2 new lots with corresponding PINs. One clubhouse would be situated on each of the new lots. The lots would be created as follows:

Lot 1: 16 residential buildings total
 294 residential dwelling units
 1 clubhouse (requested for approval but not yet scheduled to be built)
 12.8 acres

Lot 2: 15 residential buildings total
 1 clubhouse
 270 residential dwelling units
 1 facilities/maintenance building (former clubhouse)
 16.1 acres

The proposed consolidation would permit two separate owners in the future, but it remedies past issues of 50+ owners for consistency in property maintenance, fire inspections, and general property management.

COMPREHENSIVE PLAN ANALYSIS

Not specifically addressed in the Comprehensive Plan, the proposal does enhance an existing multiple-family residential development, consistent with efforts to improve facilities, amenities, and property maintenance. The Comprehensive Plan does not recommend additional apartment units in areas that are not near the train station and the downtown, but does recommend either maintaining or reducing rental units. In this instance, the new owner is investing in the property and making the complex more viable, and is not increasing the number of units.

ECONOMIC DEVELOPMENT COMMITTEE DISCUSSION

Excerpt from May 4, 2016 below:

Russ Whitaker from Rosanova & Whitaker, LTD representing Westmont Village Green Apartments(67th & Cass Ave) presented a picture of the Westmont Village Apartments showing 31 buildings on 30 acres. The property was developed in 3 phases in the late 1970's and had a unique ownership which consisted of 65 different owners. During that time and with so many owners there was never a collective interest in reinvesting in or maintaining the property. The property is now 100% under a single ownership and under this unified ownership there is an active plan to improve the property. One of the major improvements is to build a clubhouse which will soon be forthcoming to the Village for review.

There will also be a new plan to divide the property so 2 institutional investors would have ownership. This would allow for future sale of the property to sell either one lot or sell both at same time. One clubhouse is proposed for right now, could possibly see an additional clubhouse in the future but no plans for that as of yet. The current plans for the clubhouse consist of a business and fitness center and outdoor pool.

The applicant is actively working on drawings right now for the new clubhouse and hoping to submit by June 3rd to hit the July public hearing and Village Board in August for approval with the clubhouse being built this fall. Jim Addington asked Russ to explain the new tenant base. Russ Whitaker explained that each policy is each new and the current tenant must submit a new lease and go through a criminal background check. This new process has weeded out many who may not pass the criminal background check thus making the apartments a crime free community.

Bob Scott asked about the homeowners association, if one exists and will it continue. Russ Whitaker answered that there is currently a HOA but the plan is to dissolve because with a single ownership there won't be a need for that extra layer of management.

Bill Kalafut asked if there will be a massive resubdivision from the multiple lots creating just 2 lots? Russ Whitaker explained that when the applicant seeks site and plan approval for the clubhouse the applicant will also seek a 2 lot subdivision and create one lot line down the middle and from lot 1 and lot 2.

Jill Ziegler noted that when the property owner applies for development approvals they will submit the following:

- 1. Plan development*
- 2. Re-zoning*
- 3. Re-subdivision*
- 4. Site and landscape development plan for new clubhouse.*

Ed Richard asked if there are plans to sell off any of the property for the 2nd club house. Russ answered that there is not a present plan to sell anything off. Dividing property into 2 halves is best long term decision.

Ed Richard requested the existing ponds be looked at since there have been drainage issues. Jill Ziegler answered that is one of the issues that will be looked at when this comes to the Planning and Zoning Commission for Site Plan Review.

Chairman Addington requested a recommendation, Greg Pill motioned to recommend for approval, seconded, approved.

SITE PLAN COMMENTS

The applicant is proposing construction of two clubhouses, one for each newly created lot. Only one clubhouse would be completed immediately. Each clubhouse would include a leasing office, business lounge, fitness facility, common area, and outdoor amenities such as a patio, fire pit/bbq area, and swimming pool.

To accommodate each clubhouse, parking will be revised and expanded. The parking lot adjacent to the clubhouse on Lot 1 will be expanded and include 28 new parking spaces. Lot two will improve an existing lot and add 1 additional space. Staff notes that municipal code does not specifically address a clubhouse facility that serves a multiple family complex and the improvements result in a net increase in the existing parking on site.

The existing clubhouse on Lot 2 will be converted into a maintenance facility, and an access drive will complete the conversion.

STAFF COMMENTS

Engineering/Public Works

Preliminary comments on the engineering plans from both the Village Engineer and the Village's retained engineering consultant found no significant issues, although stormwater requirements will be detailed due to the existing ponds on site.

Street trees will be required along the length of 67th Street based on subdivision requirements.

Landscaping

Landscape review indicates that the screening berm needs planting revisions, tree diversity may be needed, and foundation plantings around the clubhouses will be required.

SUMMARY

The applicant requests approval to rezone to an R-4/PD - General Residence / Planned Development District with a waiver to the required amount of open space. Variances are requested so that one clubhouse may be constructed in the immediate future, and one to be reserved for construction. A lot consolidation into 2 new lots remedy any future opportunities for multiple ownership of the residential buildings as in the past.

NEW DOCUMENTS ATTACHED

1. *Copy of the public notice as published in the July 27, 2016 edition of the Westmont Progress.*
2. *Received Public Comments*
3. *Preliminary Review Comments*
 - a. *Village Forester Jonathan Yeater dated July 20, 2016.*

PREVIOUS DOCUMENTS PROVIDED (from the July 13, 2106 Public Hearing)

1. Copy of the public notice as published in the June 29, 2016 edition of the Westmont Progress.
2. Preliminary Review Comments
 - a. Village Engineer Noriel Noriega dated July 05, 2016.
 - b. Director of Fire Prevention Bureau Larry Kaufman dated June 15, 2016.
 - c. Engineering Consultant Anthony Bryant dated June 28, 2016.
3. Minutes excerpt from the May 04, 2016 Economic Development Committee meeting.

4. Application for rezoning, PD waiver, variances, subdivision and site and landscaping plan approval dated April 08, 2016 and associated materials, including:
 - a. ALTA/ACSM Land Title Survey, prepared by Roake and Associates, Inc., dated October 26, 2015.
 - b. Preliminary/final Plat of Subdivision, prepared by Roake and Associates, Inc., dated June 03, 2016.
 - c. Preliminary Engineering Plan, prepared by Roake and Associates, Inc., dated June 03, 2016.
 - d. Final Planned Development Unit Plat, prepared by Roake and Associates, Inc., dated June 03, 2016.
 - e. Site Plan, prepared by Roake and Associates, Inc., dated June 03, 2016.
 - f. Architectural Site Plans, prepared by Cordogan Clark & Associates, Inc., dated June 03, 2016.
 - g. Future Clubhouse/Lot Line Exhibit, prepared by Roake and Associates, Inc., dated June 25, 2016

July 14, 2016

To: Westmont Community Development Dept.

31 West Quincy Street

Westmont, Illinois 60559

RE: PZ 16-018 LWV Odessa Ponds LLC Properties/ 558 units/ New clubhouse structure

Homeowners at 124 & 126 across the street would like to see the driveways On Park Lane one way traffic going into in Westmont Village on Park Ln(across from 126) would be traveling south. Traffic coming out of Park Ln (across from 128) would be traveling north. Reason being there is a connecting sidewalk from Park Ln to the new Rental office which would increase the flow of traffic making is difficult of those of us living on 67th to back out of our driveways. There already has been an accident regarding this very issue this past spring.

Also my husband and I took a walk with our dog the next morning after the very productive Village Hall Meeting the night prior which I had attended. I took pictures of all the signs which make up all the driveways of the Westmont Village. There are a total of nine streets a block from each street with the new club house located in approximately in the middle on Lake Shore. Also right off Lake Shore is a curve from the gulf coarse coming off of Williams street and residents coming out of Orchards Gates subdivisions. As mentioned in the meeting it is doable for participants to walk to the club house when the weather is pleasant but many are probably going to take advantage during the fall,winter and early spring months. The attorney representing the Naperville firm mentioned the street that would be affect by the flow of traffic as "Aspen". When we took our walk, we found that to be virtually impossible as there is a dead end to Aspen and Lake Shore approximately where the club house would be. Even if he said the word Alpine that also is an impossibility. So clearly parking is going to be an issue on Lake Shore & Park Lane. Again having lived here 20 years we see congestion as an issue and think the one way street in each direction on Park Lane is strong consideration.(picture Enc).

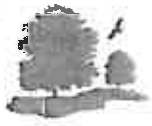
Sincerely,

Karen Vetrovec

Richard & Karen Vetrovec

REDACTED
BY LAW





**Forest Preserve District
of DuPage County**

35580 Naperville Road
P.O. Box 5000
Wheaton, IL 60189

630.933.7200
Fax 630.933.7204
TTY 800.526.0857
dupageforest.org

Via email: jziegler@westmont.il.gov

July 13, 2016

Mr. Ed Richard, Chairman
Planning and Zoning Commission
Village of Westmont
31 W. Quincy Street
Westmont, IL 60559

Re: Public Notice regarding multiple lots located on PINs 09-21-400-028,
09-21-400-055, and 09-21-400-093

Dear Mr. Richard:

The Forest Preserve District of DuPage County recently received a Public Notice regarding LWV Odessa Ponds, LLC's request for multiple variance requests, a map amendment, Plat of Subdivision to consolidate properties, and site plan approval. We appreciate receiving timely notification of such projects/requests that may have an impact on our property, and thank you for the opportunity to comment.

District Staff has reviewed the information provided and does not have any comments at this time. Please call me at (630) 933-7235 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Stough".

Kevin Stough
Land Preservation Manager

cc: Joseph Cantore, President
Linda Painter, Commissioner District 3
Michael Hulihan, Executive Director
Dan Zinnen, Director of Resource Management and Development



**Public Works Department
Street Division**

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6271 Fax: 630-829-4478

**Village of Westmont Apartments- Preliminary Landscape Review 7/20/16
Subdivision and Clubhouse Proposal**

Clubhouse Proposal

1. An official Tree Survey, Tree Preservation Plan and Landscape Plan must be submitted for review. I have no comments on this until I can review those documents.

Subdivision Proposal

1. Parkway tree planting will be required prior to approval. There are 37 trees that will be required to be installed along the southside parkway area of west 67th Street at 35-50 foot spacings depending on the layout, utilities and existing trees. I have curb marked all locations in white paint. Plantings from Maple Lane east to the entrance of the proposed clubhouse shall be planted on each mark, centered in the parkway between the sidewalk and the curb. Plantings from the proposed clubhouse east to Echo Lane shall be planted on each mark, at a distance of 6-8 feet south of the existing sidewalk.

Tree species shall be (from west to east):

1. *Ulmus accolade* 'Morton' (Accolade Elm)
2. *Platanus acerifolia* (London Plaintree)
3. *Tilia americana* (American Basswood)
4. *Acer freemanii* 'Autumn Blaze' (Autumn Blaze Maple)
5. *Quercus macrocarpa* (Burr Oak)
6. *Aesculus glabra* (Ohio Buckeye)
7. *Celtis occidentalis* (Hackberry)
8. *Gymnocladus dioica* (Kentucky Coffeetree)
9. *Catalpa speciosa* (Northern Catalpa)
10. *Gleditsia triacanthos* var. *inermis* (Thornless Honeylocust)
11. *Quercus muehlenbergii* (Chinkapin Oak)
12. *Ulmus americana* 'Princeton' (Princeton Elm)
13. *Ulmus accolade* 'Morton' (Accolade Elm)
14. *Catalpa erubescens* 'Purpurea' (Purple Catalpa)
15. *Acer freemanii* 'Marmo' (Marmo Maple)

16. *Platanus acerifolia* (London Plaintree)
17. *Zelkova serrate* (Zelkova)
18. *Quercus imbricaria* (Shingle Oak)
19. *Aesculus hippocastanum* (Horsechestnut)
20. *Acer freemanii* 'Autumn Fantasy' (Autumn Fantasy Maple)
21. *Quercus ellipsoidalis* (Hills Oak)
22. *Catalpa speciosa* (Northern Catalpa)
23. *Quercus macrocarpa* (Burr Oak)
24. *Ulmus americana* 'New Harmony' (New Harmony Elm)
25. *Tilia americana* (American Basswood)
26. *Celtis occidentalis* (Hackberry)
27. *Corylus columna* (Turkish Filbert)
28. *Gymnocladus dioica* (Kentucky Coffeetree)
29. *Acer freemanii* 'Autumn Blaze' (Autumn Blaze Maple)
30. *Robinia pseudoacacia* 'Chicago Blues' or 'Purple Robe' (Black Locust)
31. *Aesculus glabra* (Ohio Buckeye)
32. *Ulmus* 'Morton Stalwart' (Commendation Elm)
33. *Quercus imbricaria* (Shingle Oak)
34. *Platanus acerifolia* (London Plaintree)
35. *Quercus macrocarpa* (Burr Oak)
36. *Tilia americana* (American Basswood)
37. *Ulmus americana* 'Princeton' (Princeton Elm)

If there are any questions on this, I would be more than happy to explain on site. I can be most easily reached at my email listed below.

2. There have been a number of trees on the private lot (the entirety of the subdivision) which have been recently removed. I realize all of these trees may not have been located in the best possible location and spacing from other trees may not have been ideal in some cases, but please replace 80% of those that were removed.

Jonathan Yeater
Foreman/Forester, Village of Westmont Street Division
630-981-6271
jyeater@westmont.il.gov



**Public Works Department
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6272 Fax: 630-829-4479

Date: July 5, 2016

To: Mrs. Jill Ziegler, AICP
Community Development Director

From: Noriel Noriega, PE, CPESC
Assistant Director of Public Works - Village Engineer

RE: Proposed Westmont Village Apartments Planned Unit Development
6713 Lake Shore Drive, Westmont
Preliminary Review #1

We are in receipt of the following items for the proposed Westmont Village Apartments Planned Unit Development at 6713 Lake Shore Drive:

1. ALTA / ACSM Land Title Survey dated 06/06/2016 prepared by Roake and Associates, Inc.
2. Preliminary / Final Plat of Subdivision for Westmont Village Apartments Subdivision dated 06/03/2016 prepared by Roake and Associates, Inc.
3. Preliminary / Final Planned Unit Development Plat for Westmont Village Apartments Subdivision dated 06/03/2016 prepared by Roake and Associates, Inc.
4. Preliminary Engineering Plan for Westmont Village Apartments - Proposed Clubhouse dated 06/03/2016 prepared by Roake and Associates, Inc.
5. Site Plan for Westmont Village Apartments - Proposed Clubhouse dated 06/03/2016 prepared by Roake and Associates, Inc.
6. Future Clubhouse / Lot Line Exhibit for Westmont Village Apartments dated 06/25/2016 prepared by Roake and Associates, Inc.

A preliminary review of the submitted documents has no significant issues that we feel would prevent the project from continuing. Our listed comments below can be addressed during the Permit Application Process. It should be noted that additional comments should be anticipated when a full Permit Application Review is performed.

1. Address all comments made by Mr. Anthony Bryant, PE, ESI Consultants, LTD, on his letter dated 07/01/2016.
 - a. Referencing comment #15: The Village's Directive 10 Stormwater Detention Design can be located on the Village's website (www.westmont.il.gov) under Documents & Forms / Community Development.
2. Referencing the Preliminary/Final Plat of Subdivision:
 - a. Remove the Surface Water Statement Certificate on sheet 7. Relocate to the Engineering Site Improvement Plans.
 - b. Clarify the Permanent Access Control Covenant.
3. All stormwater management facilities shall be located within a Stormwater Detention Easements.
4. For the proposed parking lot improvements, address the following:



**Public Works Department
Engineering Division**

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6272 Fax: 630-829-4479

- a. Provide curb and gutter. Remove the existing railroad ties being used as a barrier curb.
 - b. Provide "back-up" areas for the four (4) parking spaces at the corners of the parking lot for maneuverability In/out of the parking spaces.
 - c. Parking spaces should be 10' x 20'. The actual paved length of a space may be reduced by two (2) feet where adequate "head-in" bumper overhang space exists.
 - d. The proposed sidewalk along the south side of the parking lot shall be a minimum of seven (7) feet wide to accommodate bumper overhang.
5. During planning discussions, it was mentioned that maintenance repairs may take place at each of the eight (8) detention facilities throughout the site (i.e. rip-rap and miscellaneous cleanup). It is staff's recommendation to review other water quality improvements (i.e. wetland plantings, native vegetation, etc) before considering rip-rap. Although rip-rap/stone is quick and easy, it does not provide any water quality improvements to the site. And in most cases, it is more expensive. These water quality improvements can be used to help satisfy future requirements of the anticipated future clubhouse.
6. Please consider reviewing all water service b-box for each building. Over the years, it has been discovered that a significant amount of the b-boxes throughout the complex are inoperable where Village staff cannot perform a shut-down if requested (i.e. if plumbing work is needed inside where the plumber needs the water to be turned off). Public Works staff is available to meet and review each location for your repair consideration.
7. Review and approvals will be required from Mr. Jon Yeater, Public Works Foreman - Village Forester, regarding any tree requirements. Comments will be forwarded under separate cover. If you have any specific questions, Mr. Yeater can be contacted at 630-981-6285.

If you have any further questions or concerns, please contact me at 630-981-6295.

Thank you.

Cc: Mr. Mike Ramsey, PO - Director of Public Works (via email)
Mr. Jim Cates - Public Works Supervisor, Water Operations / Facilities Manager (via email)
Mr. Jon Yeater - Public Works Foreman, Village Forester (via email)
Ms. Melissa Brendle - Municipal Services Office Supervisor (via email)
Mr. Joe Hennerfeind - Planner II (via email)
Mrs. Rose Gross - Municipal Services (via email)
Mr. Anthony Bryant, PE - ESI Consultants, LTD (via email)



Westmont Fire Department
HEADQUARTERS
6015 South Cass Avenue • Westmont, IL 60559

Main Office (630) 981-6400
FPB Director (630) 981-6402
Fax (630) 829-4486



Date: June 15, 2016

To: Jill Zeigler - Community Development
Joe Hennerfeind – Community Development

From: Larry Kaufman, Director
Fire Prevention Bureau

Subject: Site Plan Review –
- **Westmont Village Apartments**
- **Lot consolidation and rezoning**
- **Proposed clubhouses**

The following comments are being made regarding the site plan for the proposed occupancy;

Site plan notes'

Applicable Fire Prevention Codes are:

International Fire Code, 2012 edition, with local amendments.

NFPA Life Safety Code, 2012 edition, with local amendments.

International Building Code, 2012 edition, with local amendments

Lot consolidation and rezoning – beyond scope of WFPB, no comments necessary

Proposed clubhouses;

- Proposed fire pit will require separate review
- FD access is acceptable for a fully sprinkled building

Please contact me with any additional questions.

Submitted,
Larry Kaufman – MCP, CFM
Director, Westmont FPB



ESI Consultants, Ltd.
Excellence, Service, Integrity

June 28th, 2016

Village of Westmont
31 W. Quincy Street
Westmont, IL 60559

Attn: Community Development Department

Re: Preliminary Land Development, Stormwater & BMP Review – Site Improvement Plans for Westmont Village Apartments – Proposed Clubhouse

We have performed a PRELIMINARY review of the packages sent to us that relate to the above referenced project. This review focuses on the application of Land Development, Stormwater Management and BMP measures to the proposed Site Plan.

After reviewing the plans for compliance with the Westmont and DuPage Countywide Stormwater Ordinance we have the following comments:

Engineering Plans and General Comments

1. Clarification of the scope of the project should be made. On the Site Plan a “future clubhouse” is proposed. This clubhouse project encroaches upon the normal water level of the pond and no measures are presented to alleviate this. However, on the Grading and Utility Plan no “future clubhouse” is proposed. Please clarify the scope of work.
2. Overall the concepts presented on the North Clubhouse Site Plan are acceptable and submittal of Plans for full permit review is recommended, however, additional details will be required for the full permit review.
3. On the Site Plan, indicate all existing easements and add proposed easements. There should be drainage and utility easements and detention easements shown on the plan.
4. Indicate the high water level of the pond. Proposed fill up to this elevation will need to be compensated for on a 1:1 basis.
5. Indicate the sidewalk removal and replacement along the east limit of the project.
6. Provide data that indicates that the development meets the parking requirements. There does not appear to be any additional parking proposed to offset the increase in usage that will be caused by the new clubhouse. A plan should be in place for overflow parking.
7. The top and bottom of the proposed retaining wall is required. Certification by a professional structural engineer should be provided.
8. Indicate the direction of site runoff. Runoff from new areas should be tributary to the basin. If the future clubhouse is built then VCBMPs will be required and site from runoff would need to be conveyed to the BMP.
9. The proposed valve vault should not be located in the middle of the sidewalk.

10. Permeable pavers are indicated for part of the proposed patio. Provide a detail and maintenance and monitoring plan for the permeable pavers
11. Provide more detailed impervious area calculations
12. Soil and Erosion Control Plan shall be submitted.
13. Provide the proposed clubhouse top of foundation
14. If future clubhouse is anticipated, implementation of site BMPs during this phase is recommended.
15. Indicate additional detention requirements based on Westmont Stormwater Ordinance, section 34-34, if any.

Landscaping Plan Comments

Article I:

Sec. 80-6. - Protection.

1. The plan does not depict or provide tree protection notes and details for the protection of the one existing tree along West 67th Street.

Sec. 80-9. - Parkway tree planting required at new construction.

1. Parkway trees are required along West 67th Street every 35 linear feet of the parkway. Please provide dimensioning for parkway tree plantings. It appears that 4 shade trees would be required within the parkway.

Sec. 80-16. - Tree maintenance standards

1. In order to avoid corner visibility obstructions, no trees shall be planted closer than 30 feet from the point of tangency of the curbs. Please show on the landscape plan all Corner Visibility Triangles as depicted in this section to avoid plant material greater than 24" mature height above the curb except trees that can be planted no closer than 10 feet so that the eventual growth avert interference to the driveway entrance from the parking lot.

Article II:

Sec. 80-41. - Landscape plan application procedure.

1. It appears that 3 existing trees within the project area could be impacted by the proposed development. A simple tree survey will be required.
2. A tree preservation will be required.
3. The landscape plan needs to be a site plan. It appears from the civil site plan that the parking lot is being renovated. The landscape plan does not match the civil site plan. The landscape plan should overlay the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. Several of these items are missing from the landscape plan.

4. The pool area and shed that are depicted to be removed on the civil site plan are not specifically addressed as to the restoration of that area on the landscape plan.
5. The landscape plan fails to specifically address the restoration of the proposed service drive on the civil site plan.
6. The landscape plan is color coated for general planting locations. Please provide plant call outs for the final planting plan submittal.
7. Please provide quantities in the plant list.
8. All shade trees need to be 2.5" min. in diameter.
9. Please revise the landscape design to meet the Village requirements:

Non-residential, minimum standards for commercial and multi-family construction.

- a. At least 50 percent of the open space on the site shall be landscaped. The primary site area is approximately 1 acre with approximately 16,000 of open space. The landscape plan appears to provide 8,000 SF of landscaped area.
- b. At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum six feet in height, one-third of the trees shall be ornamental a minimum of three inch caliper or six feet in height, and one-third of the trees shall be shade trees, a minimum of three inch DBH. Please provide a breakdown of the 16 tree quantities for shade, ornamental and evergreen trees. Five different varieties of trees must be used.
- c. One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minimum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall. Please provide a breakdown of the 160 shrub quantities.
- d. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers. Plan does not meet this requirement. The foundation plantings are heavy on perennials and does not provide a diversity of plant types. Please adjust the design to reflect a more diverse planting approach.

Sec. 80-47. - Parking lots.

1. *Parking lot interior.* At least one tree of not less than three inches DBH shall be planted for every 1,500 square feet of pavement area between zero and 6,000 square feet. For pavement areas exceeding 6,000 square feet at least one tree of not less than three inches DBH shall be planted each additional 3,000 square feet. Fifty percent of tree placement shall be within the pavement area as opposed to perimeter planting

The parking lot area is approximately 9,350 SF. 5 Shade trees are required and 3 need to be within the pavement area.

2. All off-street parking areas containing more than four parking spaces and non-residential driveways adjacent to lot lines shall be suitably screened on each side and rear lot line by a screen fence or wall not less than four feet in height plus a planting strip of four feet minimum width in accordance with the following, or on an alternate arrangement as approved by the village board. Suitable landscaping and ground cover shall be provided and maintained on a continuing basis within the planting strip. On the street lot line, a planting screen not less than three feet in height shall be installed, unless said screen interferes with the corner visibility triangle which requires a maximum height of less than 24 inches. Such planting screen shall be adjacent to the parking area. Suitable landscaping and groundcover shall be provided and maintained on a continuing basis between the screen fence and curb line. Planting screens, or hedges, fences or walls shall not exceed two feet in height where location is such that sight lines are necessary for vehicular movement across pedestrian ways

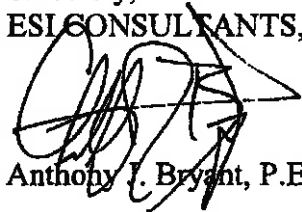
Parking lot screening is required to have a screen, fence or wall plus a planting strip of four feet minimum width for parking lots containing more than four parking spaces. The fence or wall seems misplaced for this project. However, the planting strip could contain a planting screen with shrubs instead of perennials as depicted on the landscape plan. The proposed landscape design does not meet this requirement and should be revised.

Sec. 80-48. - Native/natural areas plantings.

1. Very few of the proposed plants are native to Illinois.

If you have any questions, please call me at (630) 420-1700 x2120.

Sincerely,
ESI CONSULTANTS, LTD.



Anthony J. Bryant, P.E.

6. New Business

A. Russ Whitaker from Rosanova & Whitaker, LTD representing Westmont Village Green Apartments(67th & Cass Ave)--

Russ Whitaker-Russ presented a picture of the Westmont Village Apartments showing 31 buildings on 30 acres. The property was developed in 3 phases in the late 1970's and had a unique ownership which consisted of 65 different owners. During that time and with so many owners there was never a collective interest in reinvesting in the property along with a collective interest in maintaining the property.

The property is now 100% under a single ownership and under this unified ownership there is an active plan to improve the property. One of the major improvements is to build a clubhouse which will soon be forthcoming to the Village for review.

There will also be a new plan to divide the property so 2 institutional investors would have ownership. This would allow for future sale of the property to sell either one lot or sell both at same time.

One clubhouse is proposed for right now, could possibly see additional clubhouse in the future but no plans for that as of yet. The current plans for the clubhouse consist of a business and fitness center and outdoor pool.

Actively working on drawings right now for the new clubhouse and hoping to submit by June 3rd to hit the July public hearing and Village Board in August for approval with the clubhouse being built this fall.

Jim Addington-asked Russ to explain the new tenant base.

Russ Whitaker-New policy is each new and current tenant must submit a new lease and go through criminal background check. This new process has weeded out many who may not pass the criminal background check thus making the apartments a crime free community.

Bob Scott-- Asked about the homeowners association, if one exists and will continue.

Russ Whitaker-there is currently a HOA but the plan is to dissolve because with a single ownership there won't be a need for that extra layer of management.

Bill Kalafut- Asked if there will be a massive resubdivision from the multiple lots creating just 2 lots?

Russ Whitaker-Yes when we seek site and plan approval for the clubhouse we will also seek a 2 lot subdivision and create one lot line down the middle and from lot 1 and lot 2.

Jill Ziegler--When the property owner applies for development approvals they will submit the following:

1. Plan development
2. Re-zoning
3. Re-subdivision
4. Site and landscape development plan for new clubhouse.

Ed Richard--Asked if there are plans to sell off any of the property for the 2nd club house.

Russ--Not a present plan to sell anything off. Dividing property into 2 halves is best long term decision.

Ed Richard--Requested pond to be looked at because it does not drain.

Jill Ziegler- One of the issues that will be looked at when this comes to the Planning and Zoning Commission.

Jim Addington- Requested a recommendation, Greg Pill motioned to recommend for approval, seconded, approved.

B. 645 N. Cass Avenue

Jill Ziegler--introduced Aaron King from Andy's frozen custard. Aaron is an Architect for Andy's Frozen Custard.

Aaron King--Andy's Frozen Custard is a quick service frozen dessert business with a freestanding restaurant with drive through and walk-up service windows. Aaron represents mostly the environment part of the business as far as securing locations for new restaurants.

There are 31 locations throughout the country with 5 locations in Chicago. The next proposed location would be at 645 N. Cass Ave in Westmont which is where the old Pizza Hut building sits.

The two challenges with this location is the Pizza Hut building sits on a lot that is not subdivided so they do not have anything that can be sold off to them right now. Andy's is working with the property attorney. The lot lines are also challenging as parking would overlap on the other part of the property that would not be owned by Andy's.

Andy's has a few site plans that have been developed and both plans have issues with the parking but will work with Village staff to work out the details in order to make one of the plans work. Both plans have a wrap around drive thru and walk-up windows and does not have sit down dining. The other issue is the canopy lighting which has an exposed lamp fixture to give the retro look but a shield can always be put on the lamps if not acceptable.

The prototype of the new building in Westmont would include a training room as this site would be a regional training area for managers to train new employees.

The challenge in Westmont too is the signage on the building. Westmont allows 2 and currently on the design there are 22, with some of those being illuminated. Again, Andy's will work with the Village to compromise. Freestanding signs may be much larger than what the Village will consider but again will work with staff to find something acceptable.

The building material in the front of the store will be all glass and on the sides will be a cement based material to look like wood which will last longer and doesn't require yearly maintenance.

Jim Addington --Asked if the custard machine would be a self serve?

Aaron King--This is not a self serve business, the frozen treat is scooped and handed to customer.

June 2, 2016

Jill Ziegler, AICP
Community Development Director
Village of Westmont
31 W. Quincy Street 60559

**Re: Zoning & Subdivision Submittal
 Westmont Village Apartments**

Dear Ms. Ziegler:

I represent LWV Odessa Ponds, LLC, as the owner of the Westmont Villages Apartment complex generally located at the southwest corner of Cass Avenue and 67th Street in the Village of Westmont. To be clear, my client is the owner of the 31 apartment buildings and controls the Association that currently owns all of the common areas and open parking fields. It is the owners intent that all of the property would come under its unified ownership through this development process with the Village.

Owner acquired the property for the specific purpose of repositioning the asset- a process which began in earnest following a bulk closing on properties in October 2015. The property has been generally cleaned-up and was renamed Westmont Village Apartments. Owner continues to work with Village staff to address an array of issues associated with long-term deferred maintenance from the prior owners. Significant other improvements are contemplated for the property including such items as resurfaced parking lots, roof replacements, stabilization of detention basins, interior unit renovations and construction of a new clubhouse with associated resident amenities.

Owner now seeks certain Village approvals necessary to facilitate the improvements and the protection of owner's long-term investment in the property. To this end, the owner seeks the following relief, all of which is more specifically detail in the Petition submitted herewith:

1. Plat of Subdivision to consolidate the property into two lots;
2. Map Amendment to overlay a Planned Development District;
3. Site Plan approval to permit development of a clubhouse;
4. Certain variations associated with both existing improvements and the proposed clubhouse as more specifically set forth in the attached documentation.

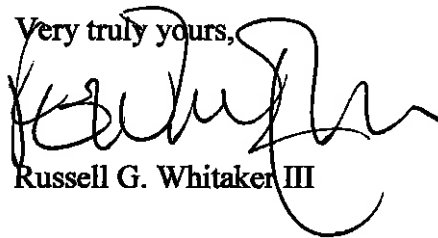
In support of the requested relief, I submit the following documentation for your review and consideration:

1. Application Form
2. Cover letter
3. Filing Fee
4. Legal Description (text format)
5. Proposed Site Plan
6. ALTA Survey

7. Landscape Plan
8. Architectural Elevation & Floor Plan
9. Petition for Zoning Relief
10. Notice List
11. Copy of Submitted Kane DuPage Soil & Water Conservation District Application

By Monday afternoon we will supplement this submittal with copies of a PUD Plat, Preliminary/Final Plat of Subdivision and Preliminary Engineering Plans. This documentation will come directly from our engineering firm. I look forward to working with you regarding this exciting project. I believe that the proposed improvements will dramatically improve the condition of the Westmont Village Apartments and, in the process, provide ancillary benefits to the surrounding community. Should you have any questions or concerns or should you need any additional documentation please don't hesitate to call at your convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read "Russell G. Whitaker III", written over the printed name.

Russell G. Whitaker III

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
VILLAGE OF WESMONT)

PETITION TO THE VILLAGE OF WESTMONT BOARD
AND PLAN COMMISSION FOR ENTITLEMENTS REGARDING
WESTMONT VILLAGE APARTMENTS

THE UNDERSIGNED, LWV Odessa Ponds, LLC, a Delaware limited liability company (hereinafter, the "Petitioner"), as the owner of the Property hereinafter described, respectfully petitions the Village of Westmont to: (i) re-subdivide/consolidate the Property; (ii) grant a map amendment to overlay a Planned Development District and modify the specific regulations of the underlying R-4 zoning district; (iii) approve a Site Plan for construction of a clubhouse as an accessory use; (iv) grant certain variances as more specifically set forth herein; (v) grant a variation from the Code to permit construction of a clubhouse amenity; and (vi) approve any such other variations or deviations from the Code as it may be deemed necessary and appropriate under the circumstances.

BACKGROUND INFORMATION

This Petition relates to numerous parcels of land owned by the Petitioner, generally located at 67th Street and Cass Avenue in Westmont, Illinois, (the "Property"), which Property is legally described on **Exhibit "A"**, attached hereto and made a part hereof. Attached as **Exhibit "B"** is a copy of the ALTA Survey that depicts the condition of the Property as of October 26, 2015, immediately preceding Petitioner's bulk acquisition of individual ownership units in the Property.

During the mid- to late-1970's, development of the Property was approved in four phases. There is no record of annexation or applicable ordinances evidencing the approvals, but the collective Willow Falls PUD Plats, copies of which are attached hereto as **Exhibit "C"**, are recorded against the Property and evidence the Village's consent to the development by virtue of signatures by from the Village President and the Village Clerk (the "Historic PD Plats"). The Property was ultimately improved with thirty-one (31) buildings containing a total of five hundred and fifty-eight (558) dwelling units on approximately thirty (30) acres. Each of the thirty-one (31)

buildings is divided into three (3) separate ownership units with each ownership unit consisting of six (6) apartments. All of the parking and common areas are owned and managed by a community association (the "Association").

With ownership structure so varied and in most cases maligned, many problems arose within the apartment community such as: dramatic fluctuations in rental values, spikes in criminal activity, and an overall physical deterioration as a result of significant deferred maintenance. These issues ultimately became institutional problems and led to the community being identified as a "problem community."

The Petitioner acquired the Property in a piecemeal process throughout 2015. Today, Petitioner owns 100% of the 93 ownership units and controls the Association which owns all of the common areas. Petitioner is in the midst of a significant re-investment in the Property that will enhance both the apartment complex itself and, in-turn, the broader Westmont community. Petitioner has already evidenced this commitment by instituting new administrative policies concerning background checks, structuring rental values which are commensurate with individualized units, providing a cosmetic face-lift of the community and investing financial resources to clean up various sections of the Property.

As a condition to continued investment in the Property, Petitioner now seeks to re-organize the legal structure of the community and confirm the long-term right to operate the community consistent with its vision and general parameters of the institutional investment community. As part of this process, Petitioner seeks to re-subdivide the property in order to collapse the divided ownership structure. Petitioner also seeks to overlay a Planned Development Zoning District and obtain necessary zoning variances in order to permit the construction of a new clubhouse facility and to guarantee it's continued right to operate the existing buildings.

1. Consolidation of Ownership Interests in the Property.

Petitioner seeks to re-subdivide the Property as depicted on Preliminary/Final Plat of Subdivision, attached hereto as **Exhibit "D"** and made a part hereof (the "Plat"). The Plat will consolidate the various ownership interests, three common areas owned by the Association and 93 "units" in 31 buildings owned by Petitioner, into just two separate ownership units. The resulting lots created by the Plat will effectively divide the 585 unit apartment community into two halves. Petitioner presently intends to operate both halves as a single community, but the proposed configuration provides ultimate flexibility to create two separate communities respectively

consisting of 270 and 288 dwelling units. The proposed subdivision is necessary and appropriate to facilitate elimination of the existing association and to configure the Property consistent with modern development standards frequently utilized in an institutional ownership community. The consolidation of ownership interests will also eliminate the possibility unequal and divided ownership interests that created the conditions that Petitioner now seeks to remedy. The proposed Plat is necessary and appropriate to facilitate Petitioner's plans for the Property. The proposed Plat meets the legal standards for a Subdivision consistent with the Village's Subdivision Ordinance.

2. Map Amendment to overlay a Planned Development District.

The proposed rezoning is necessary and appropriate to facilitate Petitioner's plans for the Property. The proposed rezoning meets the legal standards for a rezoning of the Property, and, to this end, the Petitioner represents as follows:

A. The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the Village;

A Map Amendment to overlay a Planned Development on the Property promotes the health, safety, comfort, convenience and general welfare of the Village by aligning the long-standing use of the Property with the Village's existing zoning ordinance to encourage Petitioner's reinvestment in the Property. The existing improvements to the Property are presently permitted as legal non-conforming use. Without assurance that the existing improvements to the Property could be rebuilt in the event of a catastrophe, Petitioner would not invest significant resources, both time and economic, toward renovation of the improvements and overall reinvestment in the Property. The Petitioner's improvements and reinvestment in the Property promotes the general welfare of the community by, among other things, improving the aesthetic appearance of the community, improving the quality of the community housing stock, improving the value of the community housing stock, reducing crime rates in the community and generally eliminating a blighted condition in the community. The proposed amendment will formalize the Village's acceptance of the existing and proposed improvements to the Property and facilitate Petitioner's continued investment in the improvements thereof, all as depicted on the "PUD Plat" attached hereto as Exhibit "E" and made a part hereof. Allowing the Petitioner to improve the multi-family

buildings already on the Property complies with the Village's Comprehensive Plan to improve existing housing stock with adequate community facilities and updated infrastructure.

B. The trends of development in the area of the subject property is consistent with the requested amendment;

The neighborhood surrounding the Property is fully developed and the character of the neighborhood is well established. The existing Westmont Village Apartments are an essential element of that character. The proposed amendment does not contemplate any material physical change in the character of the neighborhood, but facilitates the reinvestment and ongoing use of the Property consistent with the residential character of the neighborhood.

C. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification;

The current zoning classification is R-4 which allows use of the Property for multi-family residential dwelling units. The historic plats evidencing Village approval of the development of the Property specifically reference the Property being a "P.U.D.", but without other documentation and in light of the Village's intervening amendment of the zoning ordinance, Petitioner seeks to clearly establish the terms upon which the property can be used and governed by the Village. It is Petitioner's intent that the Planned Development overlay district would permit the ongoing use of the Property as depicted on the PUD Plat attached hereto. In light of the problems associated with the historic divided ownership interests in the Property, Petitioner's proposed amendment and associated improvements to the Property are more suitable than the use of the property as historically permitted. Moreover, the amendment will align the use of the Property with the Village's existing zoning ordinances.

D. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and

The Property has been and continues to be utilized under the Village's R-4 zoning district, but the use of the Property in the R-4 district is substandard to other similarly positioned zoned properties. Certain improvements to the Property may be legal non-conforming uses. Accordingly, the current R-4 zoning designation is not the most appropriate zoning designation for the Property, and as a result, the Property suffers from deferred maintenance and a general lack of reinvestment necessary to maintain the Property consistent with general trends in the apartment industry.

E. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The amendment to overlay the Planned Development will have no effect on the physical character of the neighborhood. However, the general improvement and reinvestment in the Property triggered by the proposed amendment will result in significant positive changes to the neighborhood ranging from simple aesthetics, to quality of community housing stock and safety of neighborhood residents. The amendment, if granted, will not be a substantial detriment to adjacent property- but to the contrary, it will facilitate positive community change.

3. Site Plan approval for the construction of a clubhouse as an accessory use.

The proposed site plan approval is necessary and appropriate to facilitate Petitioner's construction of a clubhouse on the Property. The proposal meets the legal standards for site plan approval, and, to this end, the Petitioner represents as follows:

A. All plans shall be so designed that the public health, welfare and safety will be protected.

The Site Plan is designed to protect the public health, welfare and safety of both the residents of the Westmont Village Apartments and the broader Westmont community. The Site Plan is attached hereto as **Exhibit "F"** and is made a part hereof. The Site Plan focuses on the central portion of the Property, with the only physical changes to the existing conditions being the addition of a clubhouse and associated improvements. Petitioner presently intends to construct an approximately 6,000 square foot clubhouse facility on "Lot 2" of the Property, said Lot 2 being a creation of the Plat. The proposed clubhouse would include community leasing operations, a fitness center, a business center, community rooms, an outdoor pool and associated common areas for recreational use by residents of the apartment community. Petitioner also seeks the right to construct a second clubhouse to be located on Lot 1, off Lake Shore Drive (a private road). Petitioner does not presently intend to construct the second clubhouse located but seeks the right to construct the clubhouse in the event that the community was to be operated under divided ownership as two separate and distinct apartment communities. The clubhouse(s) will enhance the lifestyle and general health of the residents of the apartment community by offering a place for communal gathering, relaxation, social events and educational seminars. Petitioner has considered the clubhouse's relationship to both the principal structured on the parcel and the adjacent

properties. To this end, Petitioner has chosen to situate the clubhouse(s) as depicted on the Site Plan to create a grand entrance to the community, to create a dramatic pond overlook and to provide sufficient separation from adjacent properties. Additionally, the modest stature of the proposed clubhouse will not interfere with adequate space, light, air, or use and is generally consistent with the character of improvements in the neighborhood.

B. The proposed development of the site shall be such that it does not cause substantial injury to the value of other property in the neighborhood.

The addition of the clubhouse(s) and outdoor deck areas as depicted on the Site Plan will not cause substantial injury to the value of other property in the neighborhood, but rather, will help improve the character of the community. The proposed clubhouse is not proximate to living units located on other neighboring property so the physical structure is non-impactful. However, and more importantly, the proposed clubhouse is part of Petitioner's overall strategy to reposition the apartment community. This repositioning of the community will improve the quality of the units, increase the prevailing rental rates and decrease criminal activity, all of which should result in positive improvements to the value of other property in the neighborhood.

C. All plans shall provide for protection of both aesthetics and function of the natural environment, which shall include, but not be limited to, conditions pertaining to floodplains, soil and geologic characteristics and preservation of vegetation.

Included with Petitioner's Development Application are landscape plans, architectural plans, engineering plans and associated details, all evidence the manner in which the proposed clubhouse development will protect aesthetics and function in the existing environment. The landscape plan complies with Village requirements and will include significant new plantings that will improve the character of the outdoor environment. The architectural plans will require variations from Village requirements, but said plans are generally consistent with the character of existing improvements to the property and include a variety of high-quality building materials designed to withstand environmental conditions over the long-term.

D. All plans shall provide for the transmission, retention or detention of stormwater with such facilities installed so as to complement existing or proposed stormwater facilities, unless the board of trustees shall determine upon recommendation of the public works director that stormwater facilities need not be provided or a cash contribution in lieu of such facilities is made. In the event the board of trustees determines that a cash contribution be made in lieu of installation

of stormwater facilities, such amount shall be determined by the public works director and the use thereof shall be restricted to the provision of stormwater facilities installed by the Village.

As is more specifically detailed in Petitioner's engineering plans, Petitioner will comply with the requirements of the DuPage County Stormwater Ordinance.

4. Petitioner requests the following variations and/or deviations from the Village of Westmont Zoning Code as more fully set forth in paragraphs 4.1-4.5 below.

4.1. Petitioner requests a variation from Section 6.01(D) of the code to allow more than one (1) residential building located upon a single lot.

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

Under Section 6.01(D) of the Code, only one (1) residential building may located upon a single lot. The Property presently consists of multiple buildings, each being located on an individual "lot." As previously stated, historic operations under the "multiple building/multiple lot" configuration led to problems such as dramatic fluctuations in rental values, spikes in criminal activity, and an overall physical deterioration as a result of significant deferred maintenance. Petitioner seeks to remedy those problems and reposition the Property for continued success into the future. Consolidating multiple structures onto a single lot will prevent the type of divided ownership situation that has resulted in significant historical problems at the Property. Moreover, the consolidated ownership structure is the generally accepted industry practice and is therefore widely understood in the marketplace and accepted by institutional type owners. By consolidating ownership and opening the community to possible institutional ownership there is a larger market for the property, owner can rationally expect a return on investment in the community, and the Village can expect to avoid the type of issues that have historically plagued the Property.

B. The plight of the owner is due to unique circumstances; and

The existing one building per lot configuration was established upon development of the Property in the 1970's. While historical documentation is limited, the general consensus is that the unique ownership structure was the product of interest rates in excess of 10%. Capital was exceptionally expensive at the time and didn't facilitate the type of institutional ownership of

apartment communities that we see today. In today's market, most apartment communities are owned under unified control with all of the structures being located on one or two lots as is presently proposed for the Property.

C. The variation, if granted, will not alter the essential character of the locality.

The essential character of the locality will not be changed if the variation request is granted. In fact, there will be no visible outward manifestation distinguishable to the naked eye. Should the variation request be granted, the only difference will be lot lines unnoticeable to anyone residing or visiting the apartment community.

4.2. Petitioner request a variation to reduce the minimum yard requirements

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

As outlined above, Petitioner acquired an existing community that was originally developed pursuant to the Historic PD Plats approved by the Village under the terms of the Village's historic zoning ordinance. Post development of the Property the Village amended its zoning ordinance and established the minimum yard requirements more specifically set forth in Section 6.04 of the zoning ordinance. The existing improvements, as depicted on the PUD Plat, do not comply with the Village's current minimum yard requirements. Accordingly, Petitioner seeks a variation to permit the location of the buildings as depicted on the PUD Plat- encroaching into the required yards. The variation is necessary to facilitate Petitioner's continued investment in the Property. Absent the variation, Petitioner could not proceed with plans to reposition the community. Absent the repositioning of the community, it would remain in a blighted condition and Petitioner could not earn a reasonable return on its present investment in the Property.

B. The plight of the owner is due to unique circumstances; and

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset in which the condition already existing. While Petitioner has the right to continue utilizing the Property under the present conditions, Petitioner requires further assurances of the Village's long-term support of the Property to justify significant investment in improvements to the Property.

C. The variation, if granted, will not alter the essential character of the locality.

Petitioner proposes no changes to the Property that would violate the minimum yard requirements established in the Village's zoning ordinance. The proposed clubhouse additions all comply with the existing zoning requirements. The only structures requiring relief from the minimum yard requirements are existing structures that have been occupied in their existing condition for approximately the forty (40) years. Given that Petitioner proposes no change to the Property that would violate existing requirements, the variation is simply an acknowledgement of existing conditions and would do nothing to alter the essential character of the neighborhood.

4.3. Petitioner requests a variation from Section 6.01(C) of the code to allow for a reduction in the required usable open space consisted with Petitioner's Site Plan.

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

The purpose of the useable open space requirement is to provide recreational areas for residents and to enhance the natural beauty and environmental quality of neighborhoods. Here, the useable open space will be consistent with the Site Plan as depicted in **Exhibit "F"**. The Site Plan provides for useable open space virtually identical to the pre-existing use of the property. The only difference between the pre-existing use and the Petitioner's Site Plan is addition of the clubhouse(s) amenity. In many communities a clubhouse type facility would qualify as "usable open space" because it is generally designed to meet the recreational needs of residents. Here, the Village of Westmont defines "usable open space" as:

"space suitable for recreation, gardens or household service activities, such as clothes drying. Such space must be at least 75% open to the sky, free of automobile traffic, parking and undue hazards, and readily accessible by all those for whom it is intended."

Petitioner's proposed construction of clubhouse(s) amenity will directly improve quality of life for residents of the apartment community as it will serve both recreational and household needs. With the exception of the clubhouse(s) amenity all other useable open space within the apartment community will remain the same as it was prior to the Petitioner's acquisition of the Property. In sum, if the variation is not granted the Property will not be able yield a reasonable return and stifle Petitioner's continued re-investment.

B. The plight of the owner is due to unique circumstances; and

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset with the intention of improving the asset in manner consistent with present market conditions. Here, construction of the clubhouse will reduce the existing usable open space, but will serve as a direct benefit to the residents of the community. This is a unique condition related to Petitioner's intent of repositioning the apartment community that would not be faced by another developer of a new apartment community.

C. The variation, if granted, will not alter the essential character of the locality.

The variation, if granted, will not alter the essential character of the Property or the surrounding neighborhood. Petitioner effectively seeks a variation to confirm the existing usable open space less the amount that will be dedicated to clubhouse construction. Petitioner does not have a present mechanism to calculate the existing usable open spaces, accordingly we seek the variance to confirm usable open space as depicted on the Site Plan. The difference between existing conditions and the proposed Site Plan is simply the addition of one, possibly two, clubhouse structures that will serve the recreational and household needs of residents of the community. By definition, these clubhouses do not qualify as "usable open space" but certainly satisfy the intent of the Village's usable open space requirement. The proposed clubhouses are relatively small in size (approximately 6,000 square feet) and are single-story structures. Accordingly, the clubhouses will seamlessly fit within the existing landscape and will not alter the essential character of the locality.

4.4. Petitioner requests a variation from Article X of the code to permit existing surface parking lots as depicted on the PUD Plat.

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

As outlined above, Petitioner acquired an existing community that was originally developed pursuant to the Historic PD Plats approved by the Village under the terms of the Village's historic zoning ordinance. Post development of the Property the Village amended its zoning ordinance and established the minimum requirements above and beyond those requirements as of the date of the development of the Property. The existing improvements, as depicted on the PUD Plat, do not specifically comply with various requirements of the Village's Off-Street Parking and Off-Street Loading regulations as specifically set forth in Article X of the

Code. Accordingly, Petitioner seeks a variation to permit off-street parking and off-street loading for the Property as specifically depicted on the PUD Plat. Petitioner is in the process of resurfacing all of the parking lots within the Property, but given the scope of issues with the Property due to a long history of deferred maintenance, Petitioner cannot commit to bringing all of the parking lots up to current Code standards. Such a requirement would impose a substantial financial burden on the Petitioner and would undermine other investments in the Property that will have a more dramatic and profound impact on the overall aesthetic, function and character of the community.

B. The plight of the owner is due to unique circumstances; and

The plight of the Petitioner is unique in that the apartment community has existed in its current configuration for almost forty (40) years. Accordingly, Petitioner did not create the present condition, but purchased the existing asset in which the condition already existing. While Petitioner has the right to continue utilizing the Property under the present conditions, Petitioner requires further assurances of the Village's long-term support of the Property to justify significant investment in improvements to the Property. In this instance, Petitioner specifically seeks to grind and resurface parking areas within the Property. This investment will improve the aesthetic of the community and address a long-term maintenance item, but will not solve all of the technical code requirements that could be appropriately addressed in a "greenfield" development scenario.

C. The variation, if granted, will not alter the essential character of the locality.

Aside from resurfacing the parking lots, Petitioner proposes no functional changes to the number of parking spaces or the overall function of the parking lots. Accordingly, Petitioner is improving the existing condition that has existed within the community for approximately forty (40) years. Petitioner's proposal will not alter the essential character of the neighborhood, but like all of the changes proposed by Petitioner, will provide a tremendous benefit to the broader neighborhood as the Property is improved and repositioned.

4.5. Petitioner requests a variation from Section 6.04(A)(4)(B) & (C) of the code to permit a reduction in the minimum lot area required under said Section.

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

Under the Bulk and Development Standards for Multi-Family Dwellings, the minimum lot area per unit for multi-family dwellings is established as follows:

4-bedroom: 7,500 square feet

3-bedroom 6,700 square feet
2-bedroom: 5,300 square feet
1-bedroom: 3,800 square feet.

As noted above, there are 558 total units among the 31 buildings located on the approximately 28.88 acre Property. Of the total units, 116 are 1-bedrooms, 419 and 2-bedrooms and 23 are 3-bedrooms. Based on this existing unit-mix, Code would require a total lot area of approximately 64 acres. Said differently, the Property presently has an average lot area of 2,254 square feet per dwelling unit (irrespective of bedroom count). The property could not yield a reasonable return if permitted to be used only under the conditions allowed by the district regulation as it would require that existing dwelling units either be demolished or left vacant. This is clearly an absurd result that would only exacerbate historic problems at the community and would prevent Petitioner from making additional investments to address long-term deferred maintenance at the community. Accordingly, Petitioner seeks a variation to reduce the required lot area for the Property consistent with the existing schedule of improvements.

B. The plight of the owner is due to unique circumstances; and

The plight of the Petitioner is unique in that variation is dictated by existing conditions. The Property was developed prior to the establishment of the Village's present zoning ordinance and the lot area requirements outlined above. The Property has remained in much the same condition over approximately the past forty (40) years and Petitioner proposed no changes to the unit-mix or dwelling count that has prevailed over that same time-period.

C. The variation, if granted, will not alter the essential character of the locality.

The variation, if granted, will not alter the essential character of the locality. As noted above, the condition creating the variation is not only presently existing, but has been prevailing for approximately forty years. Surrounding properties have been developed, sold and occupied during the pendency of this condition. Accordingly, the granting of the variation will not alter the essential character of the neighborhood, but will preserve the well-established and ingrained character, albeit in an improved condition based on Petitioner's proposed reinvestment in the Property.

5. Petitioner requests a variation from Section 4.02(D)(2) and Section 4.05 (C)(2) of the code to permit the construction of a Clubhouse amenity.

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

Under Section 4.02(D)(2) of the Code detached accessory buildings in residence districts shall not exceed one story or fifteen (15') feet, whichever is lower. Additionally, under Section 4.05(C)(2) of the Code accessory buildings shall not exceed one hundred and forty four (144) square feet in area. As previously mentioned above, Petitioner intends to improve the apartment community by installing a modern six thousand (6,000) square foot clubhouse(s) with a building height of twenty-seven feet and two inches (27' 2") as depicted on that Site Plan, attached hereto as Exhibit "D" and as generally depicted on the "Clubhouse Plans" attached hereto as Exhibit "G". The clubhouse(s) will be the focal point of the apartment community enhancing the lifestyle and general health of the residents by offering a place for communal gathering, relaxation, social events and educational seminars. Petitioner has chosen to situate the clubhouse(s) as depicted on the Site Plan to create a grand entrance to the community, to create a dramatic pond overlook and to provide sufficient separation from adjacent properties. The proposed clubhouse would include community leasing operations, a fitness center, a business center, community rooms, an outdoor pool and associated common areas for recreational use by residents of the apartment community, all as depicted on the Clubhouse Plans. Petitioner also seeks the right to construct a second clubhouse to be located on Lot 1 off Lake Shore Drive (a private road). Petitioner does not presently intend to construct the second clubhouse but seeks the right to construct the clubhouse in the event that the community was to be operated under divided ownership as two separate and distinct apartment communities.

The purpose and intent of both regulations is to promote aesthetic value throughout the village such that they may be preserved and enhanced. In addition, these regulations seek to avoid interference with adequate space, natural light, pure air and privacy of adjacent properties.

Here, the proposed clubhouse will do more to enhance the aesthetic value of apartment community and the Village as a whole. Petitioner's Site Plan and Clubhouse Plan evidences construction of the utmost quality and craftsmanship with attractive design elevations and associated landscaping. The Clubhouse will not interfere with adjacent properties as they are not proximate to the clubhouse and primary outdoor activity areas will be appropriately buffered. Further, under the current regulations no suitable clubhouse could be built at or below the one hundred and forty four (144) square feet requirement. Any construction at this size will be

extremely small and defeat the general purpose of having a clubhouse. Thus, if the variation is denied the property will be unable to yield a reasonable return and any future re-investment in the Property will be halted.

B. The plight of the owner is due to unique circumstances; and

The plight of the owner is due to unique circumstances related to the existing condition of the improvements. Most modern apartment communities include a clubhouse or other social/recreational amenities so that residents of the apartment community have a natural gathering place. Even a very small, basic clubhouse would be constructed at greater than one hundred and forty four (144) square feet, which would accommodate nothing more than basic bathrooms. Petitioner's Site Plan is consistent with the trend of clubhouse construction and its proposed height does not interfere or dwarf the surrounding properties. The tasteful construction coupled with the elegant design will improve the lifestyle of residents by providing modern amenities common to a clubhouse and apartment community.

C. The variation, if granted, will not alter the essential character of the locality.

Construction of the proposed clubhouse will not alter the essential character of the neighborhood. The addition of one or two small clubhouse buildings to the existing 28 acre campus consisting of 31 3-story buildings is de minimis. At the same time, the addition of the clubhouse, in tandem with Petitioner's boarder improvement plan, will reposition the community to the betterment of the neighborhood and the Village in general. The modest stature of the proposed clubhouse will not interfere with adequate space, light, air, or use and will be consistent with the character of the improvements of the neighborhood. Construction of the proposed clubhouse is wholly consistent with the character of the surrounding neighborhood. Disapproval of the variation will cause the property to continue its steady decline and continue to remain an eye sore within the community.

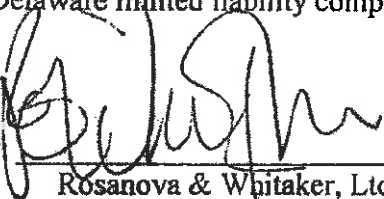
WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the Village of Westmont City Council and Planning and Zoning Commission take the necessary steps to: (i) re-subdivide/consolidate the Property; (ii) grant a map amendment to overlay a Planned Development District and modify the specific regulations of the underlying R-4 zoning district; (iii) approve a Site Plan for construction of a clubhouse as an accessory use; (iv) grant certain variances as more specifically set forth above; (v) grant a variation from the Code to permit

construction of a clubhouse amenity; and (vi) approve any such other variations or deviations from the Code as it may be deemed necessary and appropriate under the circumstances.

RESPECTFULLY SUBMITTED this 3rd day of June, 2016.

LWV Odessa Ponds, LLC,
a Delaware limited liability company

By



Rosanova & Whitaker, Ltd.
Attorneys for Petitioner

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF AUGUST 10 2016

P/Z 16-018: LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.

Request to rezone the property to a planned development overlay district in the underlying R-4 General Residence District, with several exceptions from the Zoning Code, to accommodate an existing residential development and new clubhouse facilities.

CRITERIA NO. 1: The proposed planned development achieves the following purposes of Article IX of the Westmont Zoning Ordinance:

- (A) Encourages more creative design and development of land.***
- (B) Promotes variety in the physical development pattern in the Village.***
- (C) Concentrates open space in more useable areas or preserves natural resources of the site.***
- (D) Provides means for greater creativity and flexibility in environmental design than is provided under strict application of the requirements of other zoning districts, while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the Village of Westmont and its residents.***
- (E) Allows flexibility in development of land as necessary to meet the changes in technology and demand what will be in the best interest of and consistent with the general intent of the comprehensive guide plan of the Village.***
- (F) Provides for the efficient allocation and maintenance by private initiative of useable open space to all residential and commercial areas and to allow the most efficient use of public facilities and land in keeping with the best interests of the Village.***

FINDINGS OF FACT: This project consists of an existing, older residential development which is situated on numerous individual lots and with numerous non-conformities from the Zoning Ordinance. By approving this project as a Planned Development, it will accommodate the new owner and its lender by eliminating the non-conformities and allowing the owner to rebuild in the event of substantial damage or destruction. Additionally, this Planned Development approval combined with the owner's plat of consolidation will allow the owner to construct a new clubhouse facility and will allow the owner to locate a future second clubhouse facility. The flexibility provided by Planned Development approval will allow for more creative design and land use, will preserve existing open space, and will give assist the owner in property upgrades which will preserve the public health, safety and welfare.

_____ The Planning and Zoning Commission agrees with the above finding.

_____ The Planning and Zoning Commission does not agree with the above finding.

CRITERIA NO. 2: *The Exceptions to the Zoning Code are necessary to allow the property to yield a reasonable return, which could not occur if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

FINDINGS OF FACT: This property is fully-developed with several non-conforming lots and setbacks and structures. The exceptions to the Zoning Ordinance will provide the owner with the ability to improve the property, while preserving the owner's right to rebuild the existing structures in the event of substantial damage or destruction. These exceptions will allow the owner to yield a reasonable return on its investment.

☐ The Planning and Zoning Commission agrees with the above finding.

☐ The Planning and Zoning Commission does not agree with the above finding.

CRITERIA NO. 3: *The plight of the owner is due to unique circumstances and warrants the requested Exceptions from the Zoning Ordinance.*

FINDINGS OF FACT: The owner did not create the existing non-conformities, and instead is simply seeking the flexibility provided by Planned Development approval to continue to improve and, if necessary, rebuild the existing structures.

☐ The Planning and Zoning Commission agrees with the above finding.

☐ The Planning and Zoning Commission does not agree with the above finding.

CRITERIA NO. 4: *This proposed project, with the Exceptions from the Zoning Code, will not alter the essential character of the locality.*

FINDINGS OF FACT: The property is fully improved and the owner is currently upgrading the existing structures and facilities. The only new improvement proposed is a clubhouse facility and a potential future clubhouse facility. The existing residential buildings and the proposed new clubhouses will not alter the essential character of the area.

☒ The Planning and Zoning Commission agrees with the above finding.

☐ The Planning and Zoning Commission does not agree with the above finding.

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF AUGUST 10, 2016

P/Z 16-018 – LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.

Request for variances to allow an increase in the maximum number of allowable accessory structures, to increase the maximum size of an accessory structure and to increase the maximum height for an accessory structure, all to accommodate a proposed clubhouse facility.

CRITERIA NO. 1: The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

FINDINGS OF FACT: The property is in need of substantial upgrades to the existing buildings and also requires new and enhanced facilities. The owner proposes to construct a new clubhouse facility to serve this large residential project, and the variances are necessary in order to construct a clubhouse which will meet the resident's needs, while allowing the owner to yield a reasonable return.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: If the owner were to strictly comply with the accessory structure provisions of the Zoning Ordinance, it could not construct a clubhouse facility. The clubhouse facility, if approved, will constitute a needed amenity for this development, which will increase the development's overall appeal and value.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The proposed clubhouse facilities will located within the existing development, will be restricted to residents of this residential development, and will not add traffic to the local streets or otherwise endanger the public health, safety or welfare. As a result, granting these variances will not alter the essential character of the neighborhood.

 C The Planning and Zoning Commission agrees with the above findings.

 O The Planning and Zoning Commission does not agree with the above findings.

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF AUGUST 10, 2016

P/Z 16-018 – LWV Odessa Ponds, LLC regarding 6704-24 Echo Lane, 6703-24 Tudor Lane, 6703-24 Alpine Lane, 6703-24 Park Lane, 6703-24 Lakeshore Drive, 6703-24 Cedar Lane, 6703-24 Vail Drive, 6703-24 Aspen Lane, and 6703-23 Maple Lane, Westmont, IL.

Request for a variance to permit an existing number of non-conforming parking spaces.

CRITERIA NO. 1: The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

FINDINGS OF FACT: The property is a fully-developed residential development with a non-conforming number of off-street parking spaces. The owner is not constructing new residential dwellings and simply seeks a variance to permit the parking spaces which exist in order to yield a reasonable return.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: The owner did not create the existing non-conforming parking spaces, and the cost to install additional parking spaces with related storm water detention upon the limited space available is cost prohibitive.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

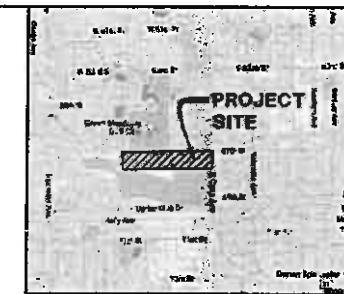
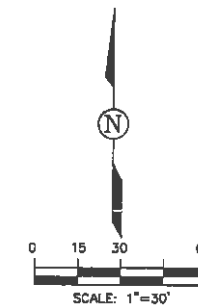
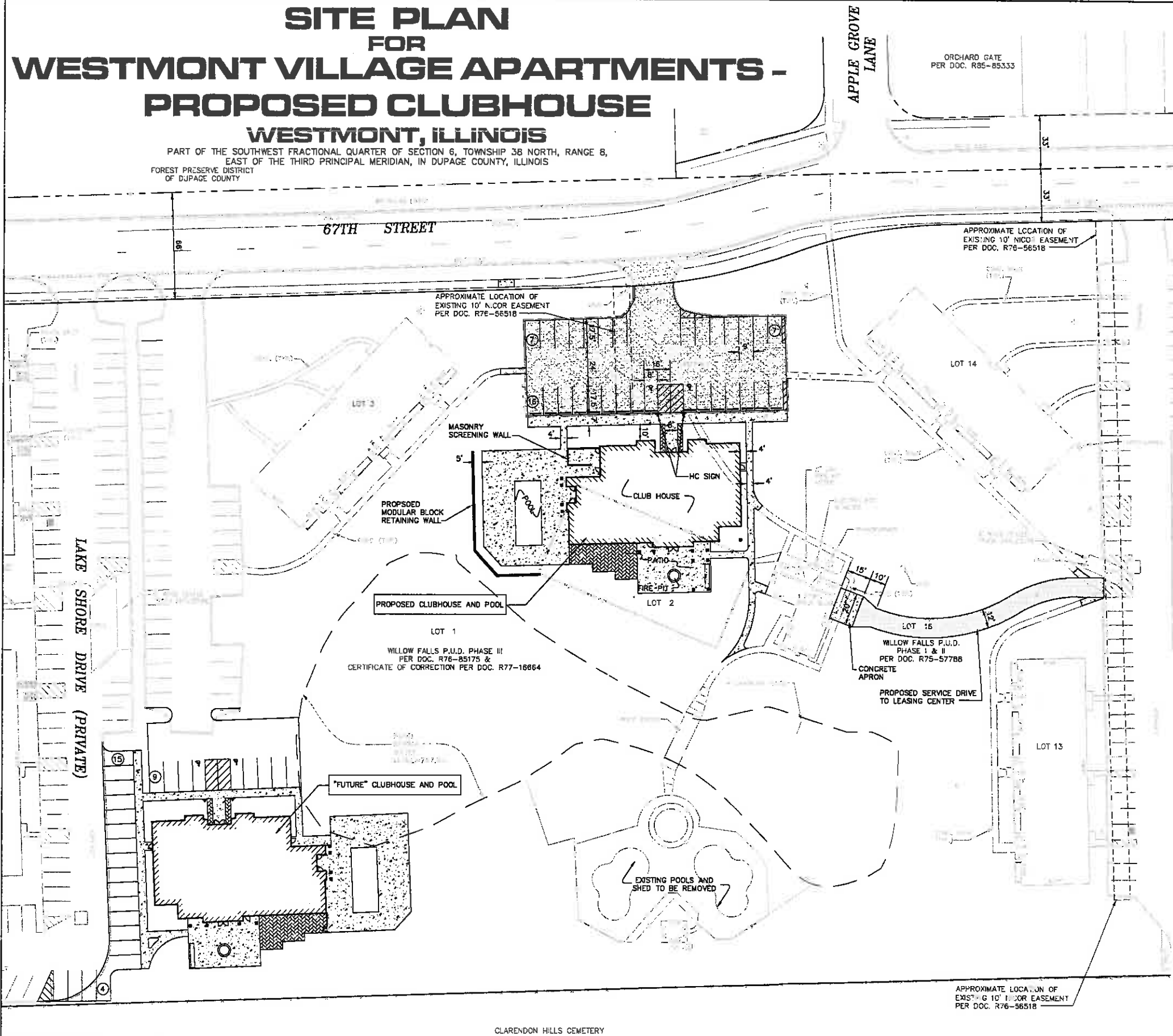
FINDINGS OF FACT: This variance simply recognizes the existing shortfall of off-street parking spaces. No new residential development is proposed, and as such, granting this variance will not alter the essential character of the area.

6 The Planning and Zoning Commission agrees with the above findings.

0 The Planning and Zoning Commission does not agree with the above findings.

SITE PLAN FOR WESTMONT VILLAGE APARTMENTS - PROPOSED CLUBHOUSE WESTMONT, ILLINOIS

PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8,
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS
FOREST PRESERVE DISTRICT
OF DUPAGE COUNTY



LOCATION MAP
N.T.S.

LEGEND

PROPOSED	EXISTING	DESCRIPTION
●	●	MANHOLE
○	○	CATCH BASIN
■	■	WELT
—	—	STORM SEWER
—	—	SEWERY SEWER
—	—	WATERMAIN
—	—	HEADWALL
—	—	END SECTION
●	●	VALVE & VAULT
●	●	VALVE & BOX
●	●	FIRE HYDRANT
●	●	STREET LIGHT
●	●	POWER POLE
—	—	CONTOURS
—	—	ELEVATIONS
—	—	SIDEWALK
—	—	CURB
—	—	GUTTER FLAG W/REVERSE PITCH
—	—	CENTERLINE
—	—	STRUCTURE CALLOUT
—	—	OVERFLOW ROUTE
—	—	BITUMINOUS PAVEMENT (FULL DEPTH)
—	—	CONCRETE PAVEMENT/SIDEWALK
—	—	PERMEABLE PAVERS
—	—	EXISTING PAVEMENT WITH 1 1/2" BITUMINOUS SURFACE OVERLAY

ABBREVIATIONS

000.00' M	MEASURED DATA
000.00' C	COMPUTED DATA
000.00' R	RECORD DATA
P.U. & D.E.	PUBLIC UTILITY & DRAINAGE EASEMENT
R=	RADIUS
A=	ARC LENGTH
PIN	PERMANENT INDEX NUMBER
TF	TOP OF FOUNDATION
WO	WALK OUT
LO	LOOK OUT

LINE TYPE LEGEND

PROPOSED	EXISTING	DESCRIPTION
—	—	SUBDIVISION BOUNDARY
—	—	LOT LINE
—	—	CENTER LINE
—	—	RIGHT OF WAY
—	—	EASEMENT LINE
—	—	BUILDING LINE
—	—	SECTION LINE
—	—	UNDERLYING LOT LINE

COPYRIGHT 2016 ROAKE AND ASSOCIATES, INC. ALL RIGHTS RESERVED

ROAKE AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
1884 QUINCY AVENUE, SUITE 100A • NAPERVILLE, ILLINOIS 60540
TEL (830) 366-3232 • FAX (830) 366-3237

CLARENDON HILLS CEMETERY

PREPARED FOR:
LWV ODESSA PONDS, LLC
15 WEST 43RD STREET - #60
NEW YORK, NEW YORK 10036
TEL (646) 448-3404

REVISIONS			REVISIONS		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
1	07/28/16	REV. PER ENG. 1ST SUBMITTAL			

WESTMONT VILLAGE APARTMENTS - PROPOSED CLUBHOUSE

SITE PLAN

DRN./CKD. BY: SRH/JGC	FILE: 8162SITE	PLD. BK./PG: 263/12-19	SHEET NO.
SCALE: 1"=30'	DATE: 6/3/16	JOB NO.: 816.002	1 OF 1